

proceed

MEMORANDUM  
TO THE HONORABLE THOMAS C. PLATT  
SENIOR U.S. DISTRICT JUDGE

APR 26 2006

RE: NORDBERG, Julie  
Docket No. 02-CR-1397-01  
Request For Early Termination

Reference is made to the above-named individual who was sentenced by Your Honor on October 16, 2003, following a conviction for Tax Fraud in violation of 26 U.S.C. 7206(1). The offender was sentenced to a five (5) year term of probation with the special condition that the defendant pay a fine in the amount of \$500.00. A \$300.00 special assessment was also imposed. The offender is scheduled to terminate from probation on October 15, 2008.

The purpose of this memorandum is to seek the Court's approval for early termination of supervision for the offender. The offender has been on supervision for thirty (30) months and since commencement of same, she has fully complied with all general and special conditions of supervision as ordered by the Court. Specifically, the offender satisfied the special assessment and fine on November 5, 2003.

As the Court is aware, early termination is controlled by statute, case law, and policy matters. With regard to statute, felony probation and supervised release cases are subject to 18 U.S.C. 3564 (c) and 18 U.S.C. 3583 (e)(1) respectively; and the general provisions of 18 U.S.C. 3553 (a). Case law in this Circuit regarding early termination of supervision falls under U.S. v Lussier, 104 F. 3d 32, 36 (2d Cir. 1997), and U.S. v Sheckley, 129 F.3d. 114 (2d Cir. 1997). Finally, the policy factor which influences early termination results from recent directives from the Judicial Conference Criminal Law Committee and Administrative Office of the U.S. Courts. In this regard, the Criminal Law Committee has directed early termination of supervision as the recommended and favored policy for appropriate probation and supervised release offenders. It should be noted, however, that some but certainly not all of the underpinnings to this policy are budget driven and part of the overall federal judiciary's "cost containment" program.

Predicated on the entirety of this case, as well as each of the factors which control early termination of supervision, the Probation Department respectfully recommends that Your Honor grant our request for early termination of supervision of the offender for the reasons set forth above.

RESPECTFULLY SUBMITTED:

TONY GAROPPOLO  
CHIEF U.S. PROBATION OFFICER

Prepared by: EDH

Eric D. Harmon  
Senior U.S. Probation Officer

Approved by: Robert Cardinal

Robert Cardinal  
Supervising U.S. Probation Officer

EDH:sid  
April 18, 2006  
Central Islip

A TRUE COPY	
ATTEST	
DATED	20
ROBERT C. HEINEMANN	
CLERK	
BY	DEPUTY CLERK

Terminate From Supervision: \_\_\_\_\_

Senior U.S. District Judge

Date

1/26/06

Other Directives  
of the Court: \_\_\_\_\_

Senior U.S. District Judge

Date